



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re patent application of:

Thomas J. Foth

Serial No.: 09/751,604

Filed: December 29, 2000

)

) Attorney Docket No.: F-220

) Group Art Unit:

) Date: April 29, 2002

For: **METHOD FOR LOAD BALANCING OF REQUESTS FOR SERVICE BY  
DEVICES ON A NETWORK AND A DEVICE AND A NETWORK FOR  
CARRYING OUT SUCH METHOD**

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**INFORMATION DISCLOSURE STATEMENT**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Applicant submits herewith patents, publications or other information of which he is aware, which he believes may be material to the examination of this application and in respect of which there may be a duty to disclose in accordance with 37 CFR § 1.56.

While this Information Disclosure Statement may be "material" pursuant to 37 CFR § 1.56, it is not intended to constitute an admission that any patent, publication or other information referred to herein is "prior art" for this invention unless specifically designated as such.

In accordance with 37 CFR § 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR § 1.56(b) exists.

In accordance with 37 CFR § 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that the information cited in the statement is, or is considered to be, material to patentability as defined in 37 CFR § 1.56(b).

This Information Disclosure Statement is being filed in accordance with the following provisions, as identified below with marked boxes, available under 37 CFR § 1.97:

1. ☒ 37 CFR §1.97(b) - This Information Disclosure Statement is being filed according to one of the following: (i) within 3 months of the filing date of this application (other than a CPA); (ii) within 3 months of the date of entry of the national stage as set forth in § 1.491 in an international application; (iii) before the mailing of a first Office action on the merits; or (iv) before the mailing of a first Office action after the filing of a request for continued examination under § 1.114.

OR

2. ☐ 37 CFR §1.97(c) - This Information Disclosure Statement is being filed before the mailing date of any of a final action under § 1.113, a notice of allowance under § 1.311, or an action that otherwise closes prosecution in the application, and it is accompanied by the statement or fee as identified below:

2.1 ☐ Specified Statement under 37 CFR § 1.97(e)(1) - see below.

OR

2.2 ☐ Specified Statement under 37 CFR § 1.97(e)(2) - see below.

OR

2.3 ☐ Please charge Deposit Account No. **16-1885** in the amount of \$180.00 to cover the fee set forth in § 1.17(p).

**\*\* Provisional Fee Authorization.** If Box 2.1 or Box 2.2 is marked above and a final action under § 1.113 has in fact been mailed before the filing of this Information Disclosure Statement, then the Commissioner is authorized to charge Deposit Account No. **16-1885** in the amount of \$180.00 to cover the fee set forth in § 1.17(p) as if Box 2.3 had been marked.

OR

3. ☐ 37 CFR §1.97(d) - This Information Disclosure Statement is being filed on or before payment of the issue fee and it is accompanied by the statement and fee as identified below:

3.1.1 ☐ Specified Statement under 37 CFR § 1.97(e)(1) - see below.

OR

3.1.2 ☐ Specified Statement under 37 CFR § 1.97(e)(2) - see below.

AND

3.2 ☐ Please charge Deposit Account No. **16-1885** in the amount of \$180.00 to cover the fee set forth in § 1.17(p).

Specified Statement under 37 CFR § 1.97(e)(1) - Each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement.

Specified Statement under 37 CFR § 1.97(e)(2) - No item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing below, after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the information disclosure statement.

A list of the patent(s) and/or publication(s) is set forth on the attached Form PTO-1449 (Modified).

A copy of each of the items on PTO-1449 (Modified) is supplied herewith.

The Commissioner is hereby authorized to charge any additional fees which may be required to Deposit Account No. **16-1885**.

A duplicate copy of this transmittal is enclosed for use in charging the Deposit Account.

Respectfully submitted,



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Plus attachments: Form PTO-1449 (Modified)  
One copy of each of the references


## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

Assistant Commissioner for Patents  
Washington, D.C. 20231

On April 29, 2002  
Date of Deposit

Esther A. Lapin  
Name of Rep.

  
Signature

April 29, 2002  
Date



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FORM PTO-1449 (Modified)

## INFORMATION DISCLOSURE STATEMENT

BY APPLICANT

Atty. Docket Number  
F-220

Serial No.  
09/751,604

Applicant  
Thomas J. Foth

Filing Date  
December 29, 2000

Group

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA	5,745,682	28 Apr 1998	Keenan, D.	395	200.5	4 Dec. 1995
	AB	5,909,682	1 Jun 1999	Cowan, E., et al.	707	9	30 Dec. 1996
	AC	6,104,711	15 Aug. 2000	Voit, E.	370	352	6 Mar 1997
	AD	6,012,088	4 Jan 2000	Li, J., et al.	709	219	10 Dec. 1996
	AE						
	AF						
	AG						
	AH						
	AI						
	AJ						
	AK						

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## FOREIGN PATENT OR PUBLISHED PATENT APPLICATION DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY OR PATENT OFFICE	CLASS	SUBCLASS	TRANSLATION
	AL						
	AM						
	AN						
	AO						
	AP						

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	
	AS	
	AT	

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.